

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

APR 21 2017

Clerk, U.S. District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

CR 12-56-BLG-SPW-02

Plaintiff,

vs.

JOSHUA CHARLES KRANK,

Defendant.

ORDER GRANTING
DEFENDANT'S MOTION FOR
EARLY TERMINATION OF
PROBATION

On March 24, 2017, Defendant Joshua Krank filed a motion seeking early termination of his five-year term of probation. (Doc. 59). Krank began his five-year term of probation on February 14, 2013. (Doc 46).

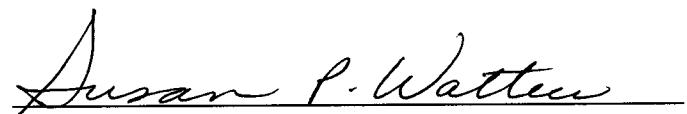
The Court may, after considering the factors set forth in 18 U.S.C. § 3553(a), terminate a term of probation if the Court is satisfied that “such action is warranted by the conduct of the defendant and the interest of justice.” 18 U.S.C. § 3564(c). In the analogous context of a request for early termination of supervised release, district courts enjoy “broad discretion in determining whether to grant [the] motion to terminate.” *U.S. v. Emmett*, 749 F.3d 817, 819 (9th Cir. 2014).

Krank has maintained steady employment during his period of probation. Krank’s employer is pleased with Krank’s performance and supports early termination of probation. (Doc. 60-1). Although Krank’s term of probation has had issues with non-compliance, his most recent issue regarding alcohol abuse was

over two years ago. His most recent non-compliance issue other than alcohol abuse was over eighteen months ago. Considering the § 3553(a) factors, early termination of Krank's probation is warranted by his conduct over the last two years, his steady employment and good performance reviews, and in the interests of justice.

Accordingly, IT IS HEREBY ORDERED that Krank's motion for early termination of probation (Doc. 59) is GRANTED.

DATED this 21st day of April, 2017.



Susan P. Watters
United States District Court